

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

M&S ADVISORY GROUP, INC. : **Civil Action No. C-1-02 522**
Plaintiff, :
v. : **AMENDED NOTICE OF**
EYEMART EXPRESS, LTD. : **DEPOSITION OF MONICA SMITH**
Defendant. : **Judge Spiegel**

PLEASE TAKE NOTICE that the Plaintiff, M&S Advisory Group, Inc., will take the deposition of Monica Smith on February 18, 2004 beginning at 3:30 p.m. central time by telephone from 200 South Wacker Drive, 31st Floor, Chicago, Illinois 60606. By agreement and stipulation of the parties, counsel and the officer who shall administer the oath to the witness and transcribe the deposition shall attend at the offices of Dinsmore & Shohl, 1900 Chemed Center, 225 East Fifth Street, Cincinnati, Ohio 45202.

Respectfully submitted,

s/ Wijdan Jreisat
Wijdan Jreisat (0063955)
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OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2004, I electronically filed the foregoing Amended Notice of Deposition of Monica Smith with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Michael W. Hawkins and Jon B. Allison, Trial Attorneys for Defendant, Dinsmore & Shohl, 255 E. Fifth Street, Suite 1900, Cincinnati, Ohio 45202.

s/ Wijdan Jreisat
Wijdan Jreisat

KTBH:584791.2